

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2007 of 2016

Shivdhari Pandey Son of Late Mahendra Pandey Resident of Village -
Tejpurwa Pandey Tola, P.S. - Malahi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Co-operative Department, Government of Bihar, New Secretariat, Patna, Bihar.
2. The Registrar, Cooperative Department, Government of Bihar, New Secretariat, Patna, Bihar.
3. The Deputy Registrar, Cooperative Department, Government of Bihar, New Secretariat, Patna, Bihar.
4. The Additional Registrar, Cooperative Committees, Bihar, Patna.
5. The District Co-operative Officer, Hari Vatika, Bettiah, West Champaran.
null null

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ansul
		Mr. A. Rajpal
For the State		Mr. Jitendra Kr. Roy-1, SC-13

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

ORAL ORDER

2 19-08-2017 Heard the counsel for the petitioner and learned SC-13 for
the State.

The petitioner joined as Peon in the office of respondent no.5 on 07.05.1966. After attaining the age of superannuation, he retired from service on 31.03.2002. The respondents paid all the retiral dues to the petitioner.

By filing the present writ application the petitioner has prayed for consideration of his case for grant of second time-bound promotion due since 01.04.1984. It is submitted that the petitioner was not granted any promotion or upgradation of the



scale of pay and, as such, he was entitled to second time-bound promotion which the respondents have till date denied him. Several representations filed by him in this regard have failed to elicit any response or the relief to the petitioner.

Counsel for the State, on the other hand, submits that if the petitioner is entitled to grant of second time-bound promotion, the same shall be considered and granted in accordance with law raising the said claim before the appropriate authority.

Counsel for the petitioner submits that in the case of the petitioner the appropriate authority would be the Additional Registrar, Cooperative Committees, Bihar, Patna (respondent no.4). He has also agreed for disposal of the writ application by permitting him to file a fresh representation before the said respondent for consideration and disposal in accordance with law. It is also submitted that the employee similarly situated have been considered and granted the second time-bound promotion which in case of the petitioner has been denied till date.

Having regard to the said submissions made at Bar, the writ application is disposed of by permitting the petitioner to file a representation detailing his claim supported by relevant



documents in his possession before respondent no.4. If any such representation is filed within five weeks, the said respondent shall consider the claim of the petitioner and pass appropriate order in accordance with law as quickly as possible preferably within six weeks from the date of filing of such representation along with a copy of this order.

(Kishore Kumar Mandal, J)

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